

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE:

LITHIUM ION BATTERIES ANTITRUST  
LITIGATIONCase No. [13-md-02420-YGR](#) (DMR)**ORDER DENYING MOTION RE DE-  
DESIGNATION OF DOCUMENTS**

Re: Dkt. No. 1353

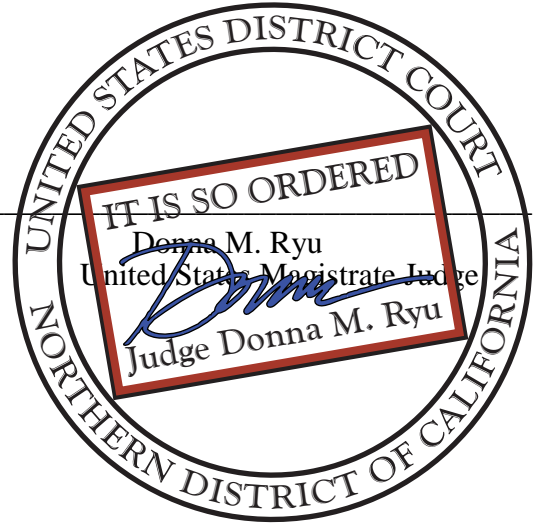
Plaintiffs Microsoft Mobile Inc. and Microsoft Mobile Oy (“Microsoft”) and Defendants Panasonic Corporation (“Panasonic”) and Sanyo Electric Co. Ltd. (“Sanyo”) filed a joint letter regarding their dispute about three documents designated as confidential by Panasonic and Sanyo pursuant to the terms of the parties’ protective order. [Docket No. 1353.] This matter is appropriate for resolution without a hearing. The court therefore VACATES the September 22, 2016 hearing. *See* Civ. L.R. 7-1(b).

On August 22, 2016, the court ordered Microsoft to submit a letter explaining why the court should consider at this time the parties’ dispute about Panasonic and Sanyo’s confidentiality designations, since the proceedings between Microsoft and Panasonic/Sanyo have been stayed pending a decision on arbitrability by the arbitrator. [Docket No. 1390.] Microsoft timely filed its letter, to which Panasonic and Sanyo responded. [Docket Nos. 1410, 1417.] In its letter, Microsoft asserts that the court should consider the dispute at this time because, *inter alia*, the three documents at issue support its “active claims in the MDL against multiple defendants.” [Docket No. 1410.] Without further detail, this statement is insufficient to establish that the court should consider the dispute at this time given the existence of a stay between Microsoft and

Panasonic/Sanyo. The motion to de-designate the documents is therefore denied. Microsoft's administrative motions for leave to attach the documents at issue to the joint letter (Docket No. 1344) and to file portions of the joint letter under seal (Docket No. 1352) are denied as moot.

**IT IS SO ORDERED.**

Dated: September 15, 2016



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